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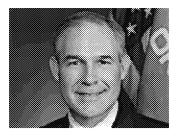
Subject: News Articles (For EPA Distribution Only)

BNA DAILY ENVIRONMENT REPORT ARTICLES

Pruitt Seeks to Constrict EPA Use of Scientific Studies for Rules

EPA Administrator Scott Pruitt wants to make a lasting change to the way the agency uses science to make policy, a move environmental groups say will sharply limit the public health studies the EPA can rely on.

Pruitt Must Address 'Drip, Drip' of Allegations, a GOP Leader Says



The Senate's third-ranking Republican said April 24 that Scott Pruitt has to address ethics questions, which he suggested are making it difficult for the EPA chief to do his job.

INSIDEEPA.COM ARTICLES

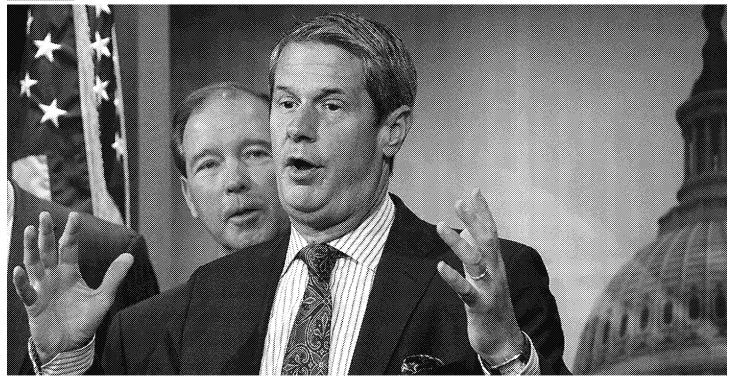
Facing Legal Hurdles, EPA's 'Secret Science' Plan Punts On Key Issues

EPA Administrator Scott Pruitt has signed a long-promised plan barring the agency's use of any information in decision-making that is not publicly available, but the proposed rule punts on a host of tricky legal and implementation issues, including statutory mandates to use the best available science and how to address confidential trade secrets and medically protected data.

GREENWIRE ARTICLES

Rollout of Lautenberg law divides senators who championed it

Corbin Hiar, E&E News reporter Published: Tuesday, April 24, 2018



Sen. Tom Udall (D-N.M.) and then-Sen. David Vitter (R-La.) speak during a news conference on chemical safety reform in 2015. Manuel Balce Ceneta/Associated Press

A conservative and a liberal stood side by side in June 2016 as President Obama signed into law the senators' hard-fought compromise legislation to overhaul the nation's bedrock chemical safety law for the first time in its 40-year history.

Today, Louisiana's David Vitter is out of Congress, lobbying for the chemical industry that long supported him, and Sen. Tom Udall (D-N.M.), who remains in office, is battling his former legislative partner over the implementation of the Toxic Substances Control Act reform they championed.

Their quick retreat from common ground to familiar opposition positions is an indication to policy experts that the TSCA reform deal was an extraordinary agreement that would be impossible to make today — and one which is now being viewed very differently by the lawmakers who pushed to enshrine it in law.

https://www.eenews.net/greenwire/2018/04/24/stories/1060079925

Agency merges teams, launches FOIA office

Kevin Bogardus, E&E News reporter

Published: Tuesday, April 24, 2018



EPA headquarters in Washington. Claudine Hellmuth/E&E News

EPA has created a new national office to help handle its Freedom of Information Act requests.

General counsel Matt Leopold said in an <u>internal email</u> obtained by E&E News that the agency will bring together two teams of EPA staffers from different programs who manage the public records requests and house them in one place in EPA's legal office.

"I am pleased to announce the creation of a new National Freedom of Information Act (FOIA) Office at EPA," Leopold told EPA employees in the email sent yesterday. "The FOIA Office brings together the FOIA program staff from the Office

of Environmental Information and the staff from the FOIA Expert Assistance Team from the Office of General Counsel (OGC) into OGC."

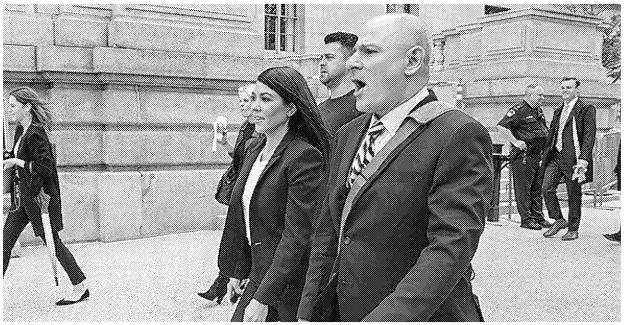
Leopold also said EPA's General Law Office in OGC will continue to handle FOIA litigation for the agency as well as provide legal counseling and response to appeals. In addition, Neil Bigioni, deputy regional counsel in EPA's Region 3 office in Philadelphia, will be the new FOIA office's acting director until the position is filled permanently.

https://www.eenews.net/greenwire/2018/04/24/stories/1060079945

Cosmetics safety bill gets Kardashian backing

Corbin Hiar, E&E News reporter

Published: Tuesday, April 24, 2018



Reality TV star Kourtney Kardashian (center) is on Capitol Hill today to advocate for overhauling the nation's cosmetic safety law. Corbin Hiar/E&E News

A bipartisan cosmetics safety bill is getting a boost from a reality television star who is both an avid consumer and purveyor of personal care products.

Kourtney Kardashian, the eldest sister in the hit show "Keeping Up with the Kardashians," arrived fashionably late to a morning briefing for Capitol Hill staffers and reporters set up by the Environmental Working Group.

The 38-year-old mother of three argued that the "Personal Care Products Safety Act," <u>S. 1113</u>, from Sens. Dianne Feinstein (D-Calif.) and Susan Collins (R-Maine), is necessary so that consumers can feel confident the products they and their families are using don't contain potentially harmful chemicals.

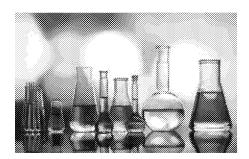
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CHEMICAL WATCH ARTICLES

US EPA, Health Canada and Echa collaborate on testing alternatives

Case studies will boost regulatory acceptance of NAMs, authorities hope

24 April 2018 / Alternative approaches to testing, Canada, Europe, United States



Scientists from regulatory agencies across the world will soon publish the first results from a series of joint case studies, set up to increase the use of new approach methodologies (NAMs) for chemical prioritisation, screening and quantitative risk assessment.

The US EPA, Health Canada and Echa are coordinating an initiative called Accelerating the Pace of Chemical Risk Assessment (APCRA). Through meetings and workshops, the group has identified some key barriers to accepting NAMs for regulatory decision making. These include the current practice of benchmarking new tests against lab animal studies as well as a general lack of understanding and confidence in applying NAMs.

The initiative began with a meeting hosted by the EPA in September 2016, followed by a workshop last year. Its aim is to "enhance collaboration across international organisations with an emphasis on learning by doing", explains Rusty Thomas from the EPA, Tara Barton-Maclaren from Health Canada and Mike Rasenberg from Echa, co-authors of a recent APCRA paper in *Chemical Research in Toxicology*.

"Through case studies, the collaborators are engaging in two-way dialogues to exchange information about how these NAMs can be applied to various decisions. As these case studies progress, training and communication through webinars, workshops and meetings will occur as well as expanding case studies to other applications with more collaborators," they add.

APCRA has developed six case studies, on:

- risk evaluation;
- chemical categorisation; and
- exposure evaluation

A first risk evaluation case study looks into using bioactivity as a conservative estimate of no— and low effect levels in animal studies. The project compares the point of departure on dose-response curves, corresponding to the no- or low effect level, from NAMs and animal studies for several hundred chemicals. It will be published in a scientific journal in the next few months.

A second case study takes a "prospective" approach, generating NAM data for a number of substances. "Traditional" animal tests will then be carried out on a subset of the chemicals to help analyse the results and improve the NAMs

approach. It is a collaboration between Echa, the EPA, the US National Toxicology Programme, Health Canada, the European Commission's Joint Research Centre, and Singapore's A*Star programme.

Meanwhile, one of the chemical categorisation case studies involves a systematic literature review of per- and polyfluoroalkyl substances, followed by NAMs analysis; another attempts to integrate NAM profiles for categorisation.

For exposure, the group has chosen to focus on computational exposure science and in silico approaches.

Future case studies will need to explore new ways of describing hazard in ways that fit with the information that NAMs provide, such as looking at whether bioactivity in a certain pathway can predict adverse effects, according to the journal article.

They should also examine new ways of describing risk, "being protective without the requirement of being predictive", add the authors.

Further Information:

- 2016 APCRA article in Chem Res Tox
- APCRA 2017 workshop discussion

NGOs urge member states to support REACH nano amendments

Calls to back restrictions on phthalates and CMRs, ahead of REACH Committee meeting

24 April 2018 / Alternatives assessment & substitution, CMRs, Europe, Nanomaterials, Phthalates, REACH, Textiles & apparel



A group of NGOs has written to EU member states, urging them to support proposals to amend REACH annexes for nanomaterials and to restrict carcinogenic, mutagenic and reprotoxic (CMR) substances in textiles.

In the letter, which has been sent ahead of a REACH Committee meeting on 25-26 April, the group also asks members to vote in favour of the European Commission's <u>proposal</u> for a restriction on four phthalates.

The group of seven NGOs includes:

- the European Environmental Bureau (EEB);
- ClientEarth;
- the Center for International Environmental Law (Ciel); and
- the Health and Environment Alliance (HEAL).

After several years of delays, the Commission <u>proposed</u> changes to REACH annexes to address substances in nanoforms last year.

These include the addition of a new section to Annex IX, which calls for further testing if specific additional particle properties "significantly influence the hazard or the exposure to those nanoforms".

The NGOs say its placing there is "contrary to the spirit of REACH" and defeats the purpose of adapting the annexes for nanomaterials.

The provision should be inserted in Annex VI, they say, as this would make REACH more "future proof" at no extra cost for registrants. Annex VI details the information needed for the submission of a registration dossier and evaluation.

Textiles CMR restriction

The NGOs say the <u>restriction</u> on CMRs in textiles should cover all that are category 1A and 1B substances with a harmonised classification. It should not be "just those 40 plus substances for which the European Commission was able to find evidence of use in the textiles sector".

Additionally, consumer organisations Beuc and Anec provided comments ahead of the meeting, calling for a "systematic, comprehensive approach" on the restriction.

The proposal should be amended, they say, to ensure:

- better protection of small children;
- regular updates to the list of restricted substances and applicable concentration limits; and
- the addition of disposable textile within the scope of the restriction.

Phthalates restriction proposal

Regarding the intention to restrict four <u>phthalates</u> – bis(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), benzyl butyl phthalate (BBP) and diisobutyl phthalate (DIBP) – the NGOs say member states should reject an exemption on exports to non-EU countries.

This is to avoid "completely unacceptable double standards", they add.

The group has also called on member states to reject exemptions for outdoor, industrial and agriculture uses, as well as for spare parts for the automotive and aerospace sectors.

And they say they "firmly oppose" a proposal to defer the restriction on automotive and aerospace articles for 60 months.

Related Articles

- EU Commission plans to restrict phthalates under RoHS2
- EU Commission consults on REACH annex revision for nanomaterials
- REACH annex nano revision 'not future proof'
- Commission clarifies scope of proposed CMR in textiles restriction
- EU Commission plans to restrict phthalates under RoHS2

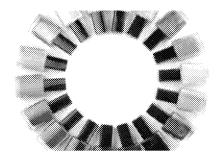
Further Information:

- NGOs' letter
- Commission's draft Regulation amending REACH annexes to include nanomaterials
- Beuc and Anec comments

California launches healthy nail salon certification programme

Guidelines bar products containing tolulene, DBP, formaldehyde, MMA monomer

25 April 2018 / Personal care, United States, Voluntary action



California's Department of Toxic Substances Control (DTSC) has issued guidelines for local governments that choose to establish healthy nail salon programmes.

The initiative, mandated by the state legislature in 2016, aims to reduce exposure to toxic chemicals for employees and customers.

The department estimates that California has 48,000 nail salons. Of these, about 200 have been designated as 'healthy' in five jurisdictions that already have a similar programme: Alameda, San Mateo and Santa Clara counties; the city of Santa Monica; and the city and county of San Francisco.

In order to be certified as a healthy nail salon, a business must:

- choose polishes and related products that do not contain dibutyl phthalate (DBP), toluene, formaldehyde, or liquid methyl methacrylate (MMA) monomer;
- avoid using nail polish thinners, if possible, and use none that contain toluene or methyl ethyl ketone (MEK);
- choose polish removers that do not contain ethyl acetate or butyl acetate;
- obtain safety data sheets (SDSs) for all products used;
- have employees use disposable gloves and evaluate whether respirator masks are needed to prevent exposure to dust;
- follow approved practices for handling, storing and disposing of toxic substances, as well as approved sanitation practices; and
- provide at least basic ventilation.

To receive a 'gold' certification, salons must also have air conditioning and/or a job-specific ventilation system; employ protective goggles; use environmentally friendly cleaning products; provide ergonomic seating and lighting; and train employees on healthy work practices.

The DTSC is <u>separately considering</u> naming nail salon products as a 'priority product' under the Safer Consumer Products (SCP) programme.



Julie Miller

Reporter

Related Articles

California seeks input on safer consumer products priorities

Further Information:

Nail salon guidelines

Majority of EU online chemical mixtures ads lack hazard warnings

Echa enforcement project leads to hundreds of fines for CLP breaches

25 April 2018 / Classification, labelling and packaging Regulation, Enforcement, Europe, Substances of concern



A major Echa Enforcement Forum project that checked more than 1,300 online adverts for hazardous chemical mixtures across the EU has found over 82% were non-compliant under the CLP Regulation.

Of the 1,083 non-compliant internet adverts, 903 did not mention the type or types of hazard indicated on the product label, the agency said. And only 220 - 16.7% of inspected online adverts – had the correct information on hazard.

Nearly all of the inspected websites – 95.9% – belonged to professional suppliers.

Checks were carried out on the following product types:

household, e.g. cleaning products (37.7%);

- construction, e.g. paints, coatings, adhesives (16.7%);
- motor, e.g. cleaning agents, coatings, lubricants (14%);
- hobby, e.g. glues, paints, solvents (11.9%);
- garden, e.g. plant protection agents, biocides (9.3%); and
- others (10.4%).

The Forum <u>embarked</u> on the project in 2016 with an objective to focus on the compliance of online sales with Article 48(2) of CLP. This states that an advert must mention hazards indicated on the label if the mixture can be purchased without seeing this.

National enforcement authorities from 15 European countries took part in the pilot project. Its scope also included compliance with the requirement under Article 17(2) that hazard warnings are written in the official language of the member state.

Outcomes

Desktop inspections were carried out between January and August last year, with most taking place in Germany (508), followed by the Czech Republic (361), Echa said in a report.

Inspectors issued 280 fines, 124 verbal advice and 460 written advice statements. In four cases, enforcement authorities undertook a criminal complaint or referred the case to the public prosecutor's office.

For 321 cases, follow-up activities continued after the operational phase of the project finished on 31 August last year. In 223 cases, information was forwarded to another enforcement authority in the same member state for further action.

Recommendations

Echa issued a set of recommendations, based on the findings of the project, as well as feedback from the questionnaires completed by national authorities.

Industry and trade associations could develop "common strategies" to clarify what is a lawful sale on the internet, Echa said. A collection of "positive examples" could also be compiled by industry and distributed to associations to pass to the companies concerned.

In recommendations to the European Commission, the agency called for "specification of the wording of Article 48 (2)" to avoid undefined legal concepts. The Commission should also consider developing a guideline for online retailers to facilitate their implementation of Article 48 (2), it said.

Enforcement authorities should continue to perform inspections and Forum members that did not participate in the project should consider conducting their own, the agency added.

Additionally, given the high rate of non-compliance detected, the Forum could include the topic in a future REACH-En-Force (Ref) project.

The Forum's <u>Ref-6</u> project is currently underway to check whether the classification and labelling (C&L) of a mixture corresponds to the information presented in the safety data sheet (SDS).

Related Articles

- Echa Forum progresses project on internet sales of chemicals
- EU enforcement project targeting C&L of mixtures underway

Further Information:

- Report
- Press release

Canada clears 59 inorganic, organometallic substances from further assessment

Included in earlier assessments and management plans

25 April 2018 / Canada, Environmental Protection Act, Inorganics, Metals

The Canadian government has listed 59 inorganic and organometallic substances it considers have been addressed in other assessment activities and will, therefore, not undergo further evaluation at this time under the Canadian Environmental Protection Act (Cepa).

The 20 April list includes:

- an arsenic-containing substance (10H-phenoxarsine, 10,10'-oxybis-) that was included in the assessment of "arsenic and its compounds";
- a cadmium-containing substance (hexanoic acid, 2-ethyl-, cadmium salt), included in the assessment of cadmium compounds;
- 11 substances that were included in the assessment of chromium compounds;
- two fluoride compounds addressed in the assessment of inorganic fluorides;
- four substances that were included in the assessment of nickel compounds;
- 26 ammonia compounds, addressed in the assessment of "ammonia in the aquatic environment";
- four uranium-containing substances, addressed in the assessment of "releases of radionuclides from nuclear facilities" and drinking water guidelines for uranium;
- two substances covered by Health Canada's risk assessment strategy for mercury and its compounds and the drinking water guidelines for mercury; and
- eight lead-containing substances considered to have been addressed by Health Canada's *Final human health* state of the science report on lead and risk management strategy on lead.

Environment and Climate Change Canada will accept public comment for 60 days.



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Reporter

Further Information:

Approach notice

Swedish chemicals agency withdraws report on ecolabelling

25 April 2018 / Labelling, Sweden

The Swedish Chemicals Agency, Kemi, says it has found errors in its study, *Mapping of dangerous substances in ecolabelling systems*, and has suspended publication. The agency discovered "certain ambiguities" and incorrect references to rules, it says. A corrected version will be published as soon as the changes are made.

The study, looking at the role of ecolabelling in chemical restriction, was published in March.

Related Articles

Sweden study looks at ecolabelling role in chemical restrictions

Further Information:

• Kemi press release (in Swedish)

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OTHER ARTICLES

Sleepy time: Some nap mats at Seattle child-care centers contain toxic chemicals

Seattle Times

"This study shows that, clearly, we can reduce kids' exposures to these **chemicals** linked to serious health problems simply by taking them out of the **products**," said Erika Schreder, science director of the Seattle-based advocacy group **Toxic**-free Future **and** a co-author of the paper published Tuesday in ...

California Department of Toxic Substances Control

East County Magazine

April 23, 2018 (Sacramento) -- The California Department of **Toxic Substances** Control (DTSC) this week issued guidelines to help local government agencies in California voluntarily establish and implement a program to make salons healthier for nail care workers, who are exposed to **toxic chemicals** in

EPA practices are hindering transparency and public confidence in TSCA's new chemicals program

Environmental Defense Fund (blog)

This is our final post in a series spurred by our review of 69 public files for new chemicals we received from EPA's Docket Center. For most of these chemicals, EPA made a determination that they are "not likely to present unreasonable risk" under the **Toxic Substances** Control Act (TSCA), which ...

Scott Pruitt Threatens Reproductive and Environmental Justice for Women

Center For American Progress

Administrator Pruitt is failing to lead the agency's response to Flint as well as other **toxic chemical** cases. Instead, he is eliminating important grant programs, such as the Lead Risk Reduction Program, which educates Americans about how to reduce exposure to lead in their homes and also certifies and ...